

FORM PTO-1390 (Modified) (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <u>1096.001C</u>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 09/673333		
INTERNATIONAL APPLICATION NO. PCT/CA99/00293	INTERNATIONAL FILING DATE 13 April 1999	PRIORITY DATE CLAIMED 13 April 1998		
TITLE OF INVENTION SEED-COAT PROMOTERS, GENES AND GENE PRODUCTS				
APPLICANT(S) FOR DO/EO/US Miki et al.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 10. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 				
Items 13 to 20 below concern document(s) or information included:				
<ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail 20. <input checked="" type="checkbox"/> Other items or information: Declaration and Power of Attorney - unsigned; Original Page 77 annexed to Preliminary Amendment; Patent Application Bibliographic Data. 				

13 OCT 2000

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 09/673533	INTERNATIONAL APPLICATION NO. PCT/CA99/00293	ATTORNEY'S DOCKET NUMBER 1096.001C
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21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1,000.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but Internation Search Report prepared by the EPO or JPO	\$860.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

CALCULATIONS PTO USE ONLY**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	44 - 20 =	24	x \$18.00	\$432.00
Independent claims	3 - 3 =	0	x \$80.00	\$0.00

Multiple Dependent Claims (check if applicable).

 \$0.00**TOTAL OF ABOVE CALCULATIONS =**

\$1,292.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

\$0.00

SUBTOTAL =

\$1,292.00

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$1,292.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

TOTAL FEES ENCLOSED =

\$1,292.00

Amount to be: refunded	\$
charged	\$

 A check in the amount of \$1,292.00 to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-1935 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Candice J. Clement
SIGNATURE

Customer No.:

**23405**

PATENT TRADEMARK OFFICE

Candice J. Clement

NAME

39,946

REGISTRATION NUMBER

October 13, 2000

DATE

526 Rec'd PCT/PTO 13 OCT 2000
09/673333

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

In re Application of: MIKI *et al.*

Title: SEED-COAT PROMOTERS, GENES AND GENE PRODUCTS

Attorney Docket No.: 1096.001C

"EXPRESS MAIL" Mailing Label No.: EL672318639US

Date of Deposit: October 13, 2000

Enclosed are:

- * Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 USC §371
- * Patent Application Bibliographic Data
- * Declaration and Power of Attorney (Unsigned)
- * Preliminary Amendment (3 pages), with attached Abstract (1 page)
- * A Check for \$1292.00 (Total National Fee)
- * One Postcard

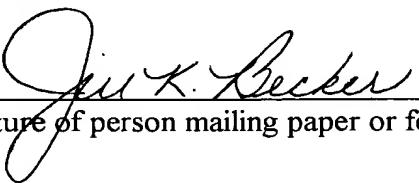
Certification

I hereby certify that this paper and the indicated enclosures are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to:

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Jill K. Becker

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)